

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:04CR158
)	
v.)	
)	
SILAS THORPE,)	ORDER
)	
Defendant.)	
_____)	

On June 26, 2008, the defendant appeared through counsel on a Motion for Reduction of sentence pursuant to 18 U.S.C. 3582(c) (Filing No. 200), filed by the defendant and a Motion for Reduction of Sentence pursuant to Rule 35 of the Federal Rules of Criminal Procedure filed by the plaintiff (Filing No. 202). After considering the comments of the parties and after evaluating the assistance provided by the defendant, the Court finds that both motions should be granted.. Accordingly,

IT IS ORDERED:

- 1) The defendant's motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c) is granted and the defendant's original sentence is amended from 210 months imprisonment to 168 months imprisonment.
- 2) On the plaintiff's motion for reduction of sentence pursuant to Federal Rule of Criminal Procedure Rule 35, the defendant's sentence is further reduced and he shall be committed to the custody of the Bureau of Prisons for a term of eighty-four (84) months. Defendant is to be given credit for time previously served under the previous Judgment and

Committal Order dated December 15, 2006, which was signed and filed on December 15, 2006 (Filing No. 175).

3) All other terms and conditions of the Judgment and Committal Order dated December 15, 2006, remain in full force and effect.

4) That the transcript of the Rule 35 hearing of June 26, 2008, be sealed.

DATED this 7th day of July, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this _____ day of _____, 200__.

Signature of Defendant

RETURN

It is hereby acknowledged that the defendant was delivered on the _____ day of _____, 200__ to _____, with a certified copy of this judgment.

UNITED STATES WARDEN

By: _____

NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of receipt, above.

CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this _____ day of _____, 200__.

UNITED STATES WARDEN

By: _____